

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH

DIONE CECILE RICHARDSON,

Plaintiff,

v.

JOSEPH FISHER, JEFF LAMB, BRIAN  
STALEY, WESTERN STATES and ROY  
TRAWICK,

Defendants.

**ORDER ADOPTING REPORT AND  
RECOMMENDATION AND  
DISMISSING CASE**

Case No. 2:20-cv-00541-JNP-DBP

District Judge Jill N. Parrish

Magistrate Judge Dustin B. Pead issued a Report and Recommendation that the court dismiss plaintiff Dione Cecile Richardson's action for failure to state a claim. Judge Pead notified Richardson that a failure to file a timely objection to his recommendation could waive any objections to it. No objection was filed within the allotted time.

Because no party objected to the Report and Recommendation, any argument that it was in error has been waived. *See United States v. One Parcel of Real Prop.*, 73 F.3d 1057, 1060 (10th Cir. 1996). The court will decline to apply the waiver rule only if "the interests of justice so dictate." *Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991). The court has reviewed the Report and Recommendation and concludes it is not clearly erroneous. Thus, the court finds that the interests of justice do not warrant deviation from the waiver rule and ADOPTS IN FULL the Report and Recommendation.

Accordingly, the court ORDERS as follows:

1. The Report and Recommendation, ECF No. 15, is ADOPTED IN FULL.
2. The court DISMISSES this action WITH PREJUDICE.

**DATED** September 10, 2021.

BY THE COURT:



JILL N. PARRISH  
United States District Judge